

PB# 02-10

**Windsor Woods
(Sub.)**

90-3-18

02-10

WINDSOR WOODS SUBDIVISION
SECTION 6 - 4 LOTS (SHAW)

TOWN OF NEW WINDSOR
PLANNING BOARD
APPROVED COPY

07-31-02

Map Number 159-~~00~~⁰² City W.
Section 90 Block 3 Lot 18 Town W. Village Windsor
Title: Windsor Woods Subdivision
Section 6
Dated: 6-7-02 Rev. Filed 8-9-02
Approved by James Bresnan
on 7-31-02
Record Owner Windsor Woods LLC.

DONNA L. BENSON
Orange County Clerk

(2 Sheets)

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/14/2002

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 2-10

NAME: WINDSOR WOODS SUBDIVISION - SECT. 6: PA2002-0182

APPLICANT: WINDSOR WOODS, LLC

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
07/31/2002	PLANS STAMPED	APPROVED
05/08/2002	P.B. APPEARANCE	APPR COND-NO SEQRA . SEQRA COVERED UNDER ORIGINAL SUBDIVISION - APPROVED . CONDITIONALLY - NEED OC HEALTH DEPT. APPROVAL
04/10/2002	P.B. DISCUSSION ITEM	SUBMIT . SUBMIT UNDER OLD ZONING REQUIREMENTS

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/14/2002

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LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 2-10

NAME: WINDSOR WOODS SUBDIVISION - SECT. 6: PA2002-0182

APPLICANT: WINDSOR WOODS, LLC

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	04/18/2002	EAF SUBMITTED	04/18/2002	WITH APPLIC
ORIG	04/18/2002	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	04/18/2002	LEAD AGENCY DECLARED . SEE ORIGINAL SUBDIVISION FILE	05/08/2002	N/A
ORIG	04/18/2002	DECLARATION (POS/NEG)	05/08/2002	N/A
ORIG	04/18/2002	SCHEDULE PUBLIC HEARING	/ /	
ORIG	04/18/2002	PUBLIC HEARING HELD	/ /	
ORIG	04/18/2002	WAIVE PUBLIC HEARING	/ /	
ORIG	04/18/2002	AGRICULTURAL NOTICES	/ /	
ORIG	04/18/2002	BUILDING DEPT REFER NUMBER	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/08/2002

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 2-10

NAME: WINDSOR WOODS SUBDIVISION - SECT. 6: PA2002-0182
APPLICANT: WINDSOR WOODS, LLC

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	04/18/2002	MUNICIPAL HIGHWAY	05/03/2002	APPROVED
ORIG	04/18/2002	MUNICIPAL WATER	05/03/2002	APPROVED
ORIG	04/18/2002	MUNICIPAL SEWER	/ /	
ORIG	04/18/2002	MUNICIPAL FIRE	05/03/2002	APPROVED
ORIG	04/18/2002	NYS DOT	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/25/2002

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 2-10

NAME: WINDSOR WOODS SUBDIVISION - SECT. 6: PA2002-0182
APPLICANT: WINDSOR WOODS, LLC

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/18/2002	REC. CK. #4114	PAID		600.00	
05/08/2002	P.B. ATTY. FEE	CHG	35.00		
05/08/2002	P.B. MINUTES	CHG	13.50		
07/24/2002	P.B. ENGINEER FEE	CHG	334.40		
07/25/2002	RET. TO APPLICANT	CHG	217.10		
		TOTAL:	600.00	600.00	0.00

*Please issue a check
in the amount of \$217.10
to close out escrow.*

*Windsor Woods, LLC
P.O. Box 389
Monsey, N.Y. 10952*

*J. Hein
7/25/02*

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#674-2002

07/25/2002

PB# 02-10 approval -
Windsor Woods LLC
P O Box 389
Monsey, NY 10952

Received \$ 270.00 for Planning Board Fees on 07/25/2002. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/25/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES
RECREATION

FOR PROJECT NUMBER: 2-10

NAME: WINDSOR WOODS SUBDIVISION - SECT. 6: PA2002-0182

APPLICANT: WINDSOR WOODS, LLC

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/24/2002	3 LOT REC FEE @1,500.00 E	CHG	4500.00		
07/25/2002	REC. CK. #4177	PAID		4500.00	
		TOTAL:	4500.00	4500.00	0.00

[Handwritten signature]
7/25/02



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

□ **Main Office**
33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mheny@mhepc.com

□ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@mhepc.com

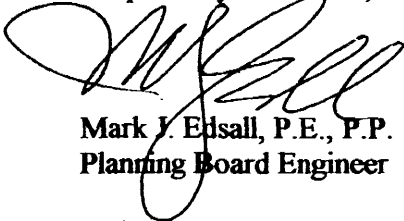
Writer's E-mail Address:
mje@mhepc.com

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: WINDSOR WOODS SUBDIVISION – SECTION 6
PROJECT LOCATION: OLD HEMLOCK DRIVE (OFF RILEY ROAD)
SECTION 90 – BLOCK 3 – LOT 18
PROJECT NUMBER: 02-10
DATE: 8 MAY 2002
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION OF A 2.55 +/- ACRE PARCEL INTO FOUR (4) SINGLE-FAMILY RESIDENTIAL LOTS. THE PLAN WAS PREVIOUSLY DISCUSSED AT THE 24 APRIL 2002 PLANNING BOARD MEETING.

1. The application involves the Final Subdivision approval of Section 6 of the Windsor Woods subdivision. The overall preliminary approval, and the SEQRA review and determination, included the four lots shown in this application. As such, a preliminary public hearing was also held for these lots. The bulk requirements being applied for these lots are based on this “grand fathered” status.
2. The application lots do not require any additional public improvements, as they all front on the subdivision roadway already approved by the Board.
3. The application requires approval from the OCDOH before the plan can be stamped approved.
4. I am aware of no outstanding issues with regard to this application.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW02-10-08May02.doc

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MINOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 50.00

ESCROW:

RESIDENTIAL:

___ LOTS @ 150.00 (FIRST 4 LOTS).....\$
___ LOTS @ 75.00 (ANY OVER 4 LOTS).....\$

COMMERCIAL:

___ LOTS @ 400.00 (FIRST 4 LOTS).....\$
___ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$

TOTAL ESCROW DUE....\$

* * * * *

APPROVAL FEES MINOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 50.00
PRELIMINARY PLAT APPROVAL\$ 100.00
FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 120.00
FINAL PLAT SECTION FEE.....\$ 100.00
BULK LAND TRANSFER...(\$100.00).....\$

TOTAL SUBDIVISION APPROVAL FEES.....\$ 270.00

* * * * *

RECREATION FEES:

3 LOTS @ ¹⁵⁰⁰~~\$500.00~~ PER LOT\$ 4500.00

* * * * *

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$
PLANNING BOARD ATTORNEY FEES.....\$
MINUTES OF MEETINGS.....\$
OTHER.....\$

* * * * *

PERFORMANCE BOND AMOUNT.....\$

4% OF ABOVE AMOUNT.....\$

ESTIMATE OF PRIVATE IMPROVEMENTS: \$

2% OF APPROVED COST ESTIMATE:.....\$
(INSPECTION FEE)

AS OF: 07/24/2002

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 2- 10

FOR WORK DONE PRIOR TO: 07/24/2002

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	-----DOLLARS-----			
								TIME	EXP.	BILLED	BALANCE
2-10	201668	03/14/02	TIME	MJE	MC WIND WOOD ADDL LOTS	88.00	0.30	26.40			
2-10	201732	03/20/02	TIME	MJE	WS RAKOWIECKI	88.00	0.40	35.20			
2-10	201733	03/20/02	TIME	MJE	WS WINDSOR WOOD RESUB	88.00	0.40	35.20			
2-10	202266	04/10/02	TIME	MJE	MC WIND WOOD II W/SHAW	88.00	0.30	26.40			
2-10	204299	04/17/02	TIME	MJE	WS WINDSOR WOODS	88.00	0.40	35.20			
2-10	204303	04/17/02	TIME	MJE	WS DAYS IN SUB	88.00	0.40	35.20			
2-10	204943	05/08/02	TIME	MJE	MM WindWood6 Cond APPL	88.00	0.10	8.80			
2-10	205270	05/08/02	TIME	MJE	MC WINDSOR WOOD SECT 6	88.00	0.50	44.00			
								246.40			
2-10	206939	05/30/02			BILL 02-663					-246.40	
										-246.40	
2-10	209769	06/11/02	TIME	RDM	MR WINDSOR WOODS SOIL	88.00	0.50	44.00			
					TASK TOTAL			290.40	0.00	-246.40	44.00
					GRAND TOTAL			290.40	0.00	-246.40	44.00

7/24/02 44
direct 334.40

OK
to stand
only

WINDSOR WOODS - SECTION 6 SUBDIVISION (02-10)

Mr. Gregory Shaw from Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Windsor Woods Section 6 subdivision Old Hemlock Drive represented by Mr. Shaw, 4 lot residential subdivision for single family homes. Application involves subdivision of 2.55 acre parcel into four single family residential lots. The plan was previously discussed at the 24 April 2002 planning board meeting. This is the one we're going back and forth on whether it was grandfathered or not, right?

MR. SHAW: Correct.

MR. PETRO: What's up? Why, how come you left and now you're back? What did we do?

MR. SHAW: Because at that time I had not submitted an application, it was under discussion. And what I have done subsequent then is submit an application for a 4 lot subdivision, a minor subdivision on Old Hemlock Drive. With this subdivision, we're taking one approved lot and creating 4 lots out of it, 3 additional lots. There are no public improvements involved with this subdivision, all of the improvements for Old Hemlock Drive extension were part of approved subdivision of Section 3, 4 and 5 which this board previously approved. This is Section 6, this is the last section for the subdivision. With respect to sewer capacity, I faxed over to your consulting engineer today a copy of the agreement of the early '90's where capacity was purchased for a total of 31 lots. I may point out that Sections 3, 4 and 5 constituted 28 lots of which this was one of them and therefore, you have 28, 30, 31, so you have documentation in your file that capacity is available for these additional three lots. Again, as I said, it's a minor subdivision. This board spent an inordinate amount of time back in the '90's with respect to subdivision approval for the overall parcel of Windsor Woods. These three lots were indicated on the preliminary subdivision plans which this board granted twice, these three lots were part of your SEQRA

process, okay, so it's my position to this board tonight that what we have is a minor subdivision with the SEQRA process closed having already been granted preliminary subdivision approval on this piece, the only regulatory agency involved is the Orange County Department of Health because they require on any subdivisions that they approve that any additional subdivisions have to come under their review. So we're going to have to go out to the health department. So what I would ask the board tonight would be to waive the public hearing cause we had one already and to possibly consider granting conditional final approval for this minor subdivision to allow me to go out to the health department and then when I come back with stamped drawings from the health department, this board would stamp it.

MR. PETRO: Preliminary final?

MR. SHAW: Conditional final.

MR. BABCOCK: Greg, the conditional final would be because of health department.

MR. SHAW: Correct. There was no health department involved. I would be asking for final tonight but because the health department requires us to go back out and see them just for these 3 additional lots.

MR. LANDER: Everything else is in order, Mr. Chairman?

MR. PETRO: Lead agency and the SEQRA is part of the original subdivision, so we don't need it again for this?

MR. EDSALL: Yeah, I hate to agree with Greg, but I have to. It's one of those situations where all this was included in your preliminary, public hearing was included in your SEQRA determination, they lost the lots as part of their final approval from the County Health Department. So you have already had a public hearing, you have already done SEQRA, I think Greg's a hundred percent right, it's a situation where he's just coming back for final on this piece.

MR. PETRO: Not a hundred percent because he asked us to waive a public hearing, therefore, we don't have to do that.

MR. EDSALL: You have to acknowledge you had the public hearing and there's no need for another one.

MR. PETRO: We just did that. Motion for conditional final approval.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant conditional final approval for the Windsor Woods subdivision Section 6 Old Hemlock Drive off Riley Road. Is there think further discussion so he can go to Orange County Department of Health then appear before this board again?

MR. SHAW: Is it necessary to come back before this board?

MR. PETRO: You have conditional final approval.

MR. BABCOCK: The condition is that if he gets Orange County Health Department approval, then he gets a stamped plan. If he's not successful there, then he doesn't go anywhere.

MR. EDSALL: As was indicated, there's no public improvements so he'll have just the normal approval fees, no public improvements, no inspection fees, nothing of that sort.

ROLL CALL

MR. ARGENIO	AYE
MR. LANDER	AYE
MR. PETRO	AYE

TPB

ORANGE COUNTY DEPARTMENT OF HEALTH
Division of Environmental Health

CERTIFICATE OF APPROVAL OF REALTY SUBDIVISION PLANS

TO: Windsor Woods LLC
POB 389
Monsey, NY 10952

The Orange County Department of Health certifies that a realty subdivision map entitled Windsor Woods Subdivision Section 6, dated May 14, 2002, latest revision June 7, 2002, located in the Town of New Windsor showing plans for providing satisfactory and adequate water supply and sewage facilities for said subdivision have been filed with and approved by the Department on this date pursuant to Article II of the Public Health Law.

The following information was furnished in the application for approval of plans:

Total area: 2.55 acres Number of lots: 4

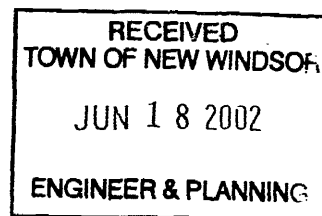
Water supply: T. New Windsor W.D.

Sewage disposal: T. New Windsor S.D.

The owner intends to build on these lots.


Approval of the proposed water supply and sewage facilities is granted subject to the following conditions:

1. **THAT** the proposed facilities are installed in conformity with said plans.
2. **THAT** no lot or remaining lands shall be subdivided without plans for such resubdivision being filed with and approved by the Orange County Department of Health.
3. **THAT** the purchaser of a lot sold without water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and shall be notified of the necessity of installing such facilities in accordance with the approved plans.
4. **THAT** the purchaser of a lot sold with water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and an accurate as-built plan depicting all installed sanitary facilities.



5. **THAT** plan approval is limited to 5 years. Time extensions for plan approval may be granted by the Orange County Department of Health based upon development facts and the realty subdivision regulations in effect at that time. A new plan submission may be required to obtain a time extension.
6. **THAT** the approved plans must be filed with the Orange County Clerk prior to offering lots for sale and within 90 days of the date of plan approval.

June 14, 2002
Date


_____, P.E.
M.J. Schleifer, P.E.
Assistant Commissioner

subapproval



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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e-mail: mheny@att.net

☐ Regional Office
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhempa@ptd.net

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

former
94-1

TOWN / VILLAGE OF: New Windsor

P/B APP. NO.: _____

WORK SESSION DATE: 20 Mar 2002

PROJECT: NEW ☒ OLD ☐

REAPPEARANCE AT W/S REQUESTED: NO

RESUB. REQ'D: later

PROJECT NAME: Windsor Wood

REPRESENTATIVES PRESENT: Greg Shaw

MUNICIPAL REPS PRESENT:

BLDG INSP. _____
ENGINEER ☒ _____
P/B CHMN _____

FIRE INSP. Bob _____
PLANNER _____
OTHER _____

ITEMS DISCUSSED:

- Lot 18 resub. (former 94-1)
- Subdiv app'l (Prelim) granted twice having the 4 lots (now shown as lot 18)
- sewer capacity purchase
- 400 gpd used originally - by using 350 gpd - they have enough sewer.
- Don't Really needed.

STND CHECKLIST:

DRAINAGE _____
DUMPSTER _____
SCREENING _____
LIGHTING _____
(Streetlights)
LANDSCAPING _____
BLACKTOP _____
ROADWAYS _____

Set as discussed item 4/10/02

BLOSSOM HEIGHTS/WINDSOR WOODS SUBDIVISION

Mr. Gregory Shaw appeared before the board for this proposal.

MR. PETOR: This is an add-on to the agenda. You're here on behalf of Blossom Heights Windsor Woods Subdivision?

MR. SHAW: Yes, I need you to work with me on this because we're going to go back to 1988 on this parcel of land and the question that we're going to try to come to tonight is whether this property is grandfathered with respect to the new zoning changes. Back in February, 1988, this board granted preliminary subdivision approval for Blossom Heights. It was a 42 lot subdivision Phase 1 was 11 lots and the minimum lot size at that time was 32,670 square feet and that was due to central sewers and individual wells. Subsequent to that, Phase 1 Blossom Heights was approved by this board leaving 31 lots remaining out of the 42. Again, based on central sewer and individual wells. The board expressed an opinion at that time that they didn't want to see that many lots being dependent upon individual wells, so the name of the game was to get town water up Riley Road. Subsequent to 1989 and the building of Phase 1, town water was brought onto Riley Road. In January of '94, my client at that time purchased capacity for 31 lots at 400 gallons a day, again, that 31 lots is consistent with the 42 of Blossom Heights minus the 11 that were built out. We came to this board in February of '94 with a submission based on 38 lots and town water and sewer with a minimum lot size of 21,780. Again, because we weren't relying upon individual wells, the zoning allowed us to have smaller lots. In April of 1994, the board granted preliminary subdivision approval to this map. This is a copy of it which indicated a total of 38 lots, where we were connecting to Moores Hill Road and we were subdividing this parcel into four lots. This is the outstanding parcel of Windsor Woods, now we're getting to the culmination of all of this. Six months later, I came back before this board and we eliminated the connection to Moores Hill Road and I got a new preliminary subdivision approval for 35 lots, eliminating connection to Moores Hill Road and again, that subdivision plan that we got preliminary on was this drawing and as you can see, with the one remaining lot of Windsor Woods, it was proposed to be subdivided into

4 lots. Following that, we got subdivision from the, permission from the health department for 34 lots, we got approval from the DEC for 31 lots and we ended up getting realty subdivision approval for 28 lots and that's what it is, what's in the planning board's office now which is going to be stamped and signed very shortly, we hope. So, my proposal or my request of this board is that we have a, once that set of subdivision plans gets filed, we have a lot left, that lot left represents this yellow area, it was always the intent going from 1988 to subdivide that parcel into 4 lots. It received preliminary subdivision approval three separate times, in '88, in April of '94 and in October of '94. And it's my position that those three preliminary subdivision approvals was the same as being grandfathered with respect to current zoning, so I would ask this board to please consider that request that this parcel was grandfathered and we can proceed with a 4 lot subdivision as it was intended 14 years ago.

MR. PETRO: This had never received a final stamp obviously?

MR. SHAW: We had never received a final stamp.

MR. PETRO: The second one we were just looking at its not completed, has it received final approval?

MR. SHAW: Yes, this received final approval for 28 lots, the 28th lot was this entire area, all right, the plans that are hopefully going to be stamped and signed within the next week or so shows this as being one lot. The reason it was one lot is because when we went and purchased sewer capacity back in '94, we purchased it for 31 lots then when water was brought on Riley Road, we could generate more lots. We didn't have capacity for all those 38 lots, so we blocked out this area and said we'll deal with this later. We only very so much capacity, we'll get as many lots as we can for the capacity knowing full well we can buy more capacity later, come in and get this subdivided, which is where we are now. Other than the fact that the zoning changed.

MR. LANDER: Do you have the sewer capacity for those lots?

MR. SHAW: We have the sewer capacity in hand. What

happened was and it's a long story, but make a long story short, we bought capacity for 31 lots, we anticipated more lots out of this subdivision, but what happens Federal wetlands kicked in, a water quality pond kicked in, net lot area kicked in so we lost lots along the way. We have, I have a copy of the agreement if you need to see it for 31 lots, we have 28 lots, which is going to be stamped very shortly, we're asking for 3 more, we'll take one of the approved lots and generate 3 more lots so no, we don't have to buy anymore capacity.

MR. LANDER: So you don't have to go to the Town Board for that?

MR. SHAW: No.

MR. KARNAVEZOS: I just have one question. Are those, if you're going to make three lots out of the one lot, are they going to fit in whatever is R-1 or this R-1?

MR. BABCOCK: This would be R-3.

MR. KARNAVEZOS: What's the square footage?

MR. BABCOCK: 80,000.

MR. LANDER: He's saying he's grandfathered in.

MR. KARNAVEZOS: If I am not mistaken, he said that was one lot and now you want to make it three lots.

MR. SHAW: What I'm saying is once we got approval for 28 lots to subdivide the parcel for 28 lots, the plans and the mylars are in Myra's office waiting to be stamped, I believe the bond has been submitted, just waiting for some loose ends. One of those lots is this parcel right here and we're asking to subdivide that into 3 additional lots so we're going to go from one approved lot to 4 lots. My point is from 1988 to this point, we got preliminary subdivision approval on this entire piece of land indicating this as 4 lots.

MR. KARNAVEZOS: Indicate that was 4 lots, but you made it one lot.

MR. SHAW: We made it one lot and the reason that we did was because we purchased capacity for only 31 lots and at that time, we had 38 lots. So rather than going

back to the DEC, back to the Town Board, we said fine, let's subdivide 31 lots worth, all right, and we'll come back at a later date, buy capacity for the remaining, if we need it and we'll come in for a similar minor subdivision and that's where we'd be now, except for the fact that the zoning has changed preliminary subdivision approval three times and again I can document every piece of information I presented to you.

MR. ARGENIO: I'm sure of that.

MR. BABCOCK: Mr. Chairman, we had the meeting in our office about this with Greg and we suggested that he come here with this information. We talked about the uniform design in this development with the size lots throughout and then all of a sudden, there's going to be three lots that are somewhat three, maybe even four times the size of what the adjoining lots would be, as far as the looks of this development.

MR. PETRO: I guess you're waiting for me to talk, right? So I don't know, I'm not sure, I've got to think about it. You make a good point and yet I agree where Tom was going also that in reality, it's one lot and now yes, you may have been going to do something, it was preliminary, but it's still one lot and now you want to divide it up and build houses and it should come under new zoning. You make a point that smaller lots would fit and match.

MR. LANDER: But he had application before October 3.

MR. SHAW: That application is still open.

MR. BRESNAN: The only factor was the capacity, that's the thing that prevented it, he already--

MR. LANDER: I think he's grandfathered in at that point.

MR. ARGENIO: I think what was grandfathered in if I am understanding this correctly and I would like to hear from Andy on this at some point in time, I think what was grandfathered in is the approval that was pending when the zoning changed and if I am understanding Mr. Shaw correctly, that approval had a big lot in the yellow area that we're looking at so in my cursory thought is that you're trying to change the rules

because--

MR. PETRO: You're backing into it instead of driving into it.

MR. ARGENIO: I guess what I'm saying I think Tommy's heading in the right direction but I agree what you said, I think we should think about it. But I'd like to hear from Andy or Phil, maybe Phil more than Andy, cause he knows, he was germane in writing the law, not to--

MR. KRIEGER: No, I agree with you.

MR. ARGENIO: --to say anything bad about Andy, but Phil might know more about it.

MR. SHAW: Just to throw one more piece of information out, if we weren't at the 12th hour with respect to filing the subdivision plan and I know this gentleman, Mr. Silvers, just recently came before the board and got a reapproval and was given the drop dead date of May, had that been not in place, we can go back to the health department and get these lots generated and come back to this board and get a new stamped subdivision plan including these lots.

MR. ARGENIO: Greg, I don't think you can do that.

MR. BABCOCK: What he is saying is that, and this is what we said since this plan isn't stamped approved, he can modify this plan, he doesn't have final approval. If this plan was stamped approved, I don't think we'd be having this conversation. I would tell him no, it's a stamped approved plan, you can't come back, it's over.

MR. PETRO: How much area are you talking about in square footage, how many houses, three or four?

MR. BABCOCK: Three.

MR. SHAW: We have one approved lot, I want to take that and convert it into 4 approved lots, so it will be 3 additional lots.

MR. PETRO: New zoning how much would you get?

MR. SHAW: I would say you'd get one lot plus one

additional lot, I'd have to look at it.

MR. PETRO: How big are the lots you're making?

MR. SHAW: Well, these I think will be an acre, that's probably somewhere between three quarters of an acre and an acre and that's between a half and three quarters of an acre and that's probably half to 3/4 of an acre, now zoning, Mark, Mike is 40,000 square feet or 80,000 square feet for this zone?

MR. BABCOCK: What zone is this in?

MR. PETRO: R-3 he said.

MR. ARGENIO: Mike, I agree with you said for the record it is in the spirit of the whole subdivision, I think that makes sense, too.

MR. SHAW: It's R-3 so it's 80.

MR. BABCOCK: Yes.

MR. KARNAVEZOS: But is it the spirit or the law, I mean.

MR. LANDER: I think we need an interpretation of that.

MR. KARNAVEZOS: I definitely believe we need an interpretation.

MR. BRESNAN: And Phil can do that.

MR. BABCOCK: What we had said in the meeting is that if you gentlemen would have said to Mr. Shaw a couple weeks ago when he was here for the extensions and you would have said to him listen, we want you to realign the road a little bit and he went out and realigned the road and came back for an approval since he didn't get the stamp, that's what we're saying, then he would change the subdivision move and you didn't like a lot line change or lot line you said move the lot line over here or move it over there, the plan still isn't stamped.

MR. ARGENIO: The problem with your analogy is both of the two scenarios don't violate the code as it exists today, that's the problem with your analogy. I don't think it's ridiculous, but they do not violate the code

as it exists today.

MR. SHAW: But again, this board would be kind enough to give us a 6 month extension, I can come back with health department plans for these lots stamped, I would come back instead of 28 lots, 31 lots as was approved by this board on preliminary and I think you would be inclined to stamp it because the preliminary was given, okay, prior to the zoning so effectively, I'm asking the same thing.

MR. ARGENIO: That's not ridiculous either what you're saying.

MR. PETRO: Your whole argument is nothing wrong with it, you have to remember we don't want the lots, you're going to say it's not up to us, we're meeting the law but what I'm saying is why not see what it is under the new zoning, if it's a matter of one lot, just remove the lot and the project is done, it's over.

MR. SHAW: I understand what you're saying but my client has a lot of money invested, let me cry on your shoulders a little bit. When you asked my client to put in curbs and sidewalks throughout Phase 1, he did that, all right, Phase 1 has nothing to do with this project, Phase 1 is built out but he's going back and putting curbs and sidewalks as this board requested as the Town Board requested that costs money, that was based on 31 lots, not 28 lots. So I'm looking for a little compassion also.

MR. PETRO: I'm still thinking.

MR. SHAW: If you're looking for whether or not it was grandfathered having 3 preliminary subdivision approvals and having the file still open at this moment I think covers that.

MR. ARGENIO: Are you trying to land this plane tonight, Mr. Shaw?

MR. SHAW: If I'm guaranteed a safe landing, yes. If it looks like the board really needs some time--

MR. ARGENIO: I agree with Jimmy.

MR. BRESNAN: Got to run it by Crotty before we make a decision.

MR. ARGENIO: Then we can make our own decision independently.

MR. BRESNAN: He waited since 19 whatever.

MR. PETRO: '88, again.

MR. KARNAVEZOS: The only other problem I have then is why didn't you come to us with an application for those 4 lots prior to when we changed the zoning?

MR. SHAW: Because the gentleman who owns Windsor Woods was not my client at that time. When I came before the approvals, I represented Sol Silverman, he sold the project to Robert Silvers. Mr. Silvers is the one that's presently building out the roads and he wasn't my client at the time, don't forget we only had a four or five week period, it isn't as if we had six months to come in.

MR. ARGENIO: So you were just recently retained by this new individual?

MR. SHAW: Correct.

MR. PETRO: Well--

MR. LANDER: Mr. Shaw, I'm only one member, but I think you have a pretty good case here. Again, if the board's pleasure is to run it passed Mr. Crotty, I'm not one to say no, but I think you're grandfathered in but we'll leave it up to the town attorney to make that decision, I think.

MR. ARGENIO: What do you think, Jim?

MR. PETRO: I think it's either way, we can go either way. The thing that would sway me to say the hell with it and just do it is that the difference to me is one lot, frankly.

MR. ARGENIO: I would reverse that.

MR. KARNAVEZOS: It's going to be two lots.

MR. PETRO: We're not sure, one, maybe two lots, one thing he said that kind of struck me a little bit is that we did ask him to go back to Phase 1 and put all

the sidewalks in at a great expense and I think that, you know, we should at least consider that.

MR. ARGENIO: Who put the sidewalks in, is that the latter or prior owner?

MR. SHAW: No, this gentleman, it's going to be the applicant and like I said, you say it's one maybe two lots, it's only 50 to 100 grand, it's a lot of money.

MR. PETRO: We can't consider money, we're looking at the logistics and the legality of the whole thing and the right thing to do. I don't know whether Phil's going to make the right choice. To me, your argument is right either way, in other words, Phil's going to lean one way or the other, then he's going to say go back to the planning board, so I would suggest, I don't know, I just don't think that we should labor over it, just go with it and just, that's it, the whole idea of the, the whole idea of the zone change and this is for everybody, including myself, was not so much to give hardship to anybody that was doing stuff in the past or that's before the board at the time, but for the next 20 years and we're looking at subdivisions that are going to be coming in hundreds and hundreds of lots trying to nitpick two lots here, three here, that's not the purpose of the zone change. And I think that's what was swaying me the most here, I don't see the necessity of trying to steal a lot or two, whether we're right or wrong from this applicant and in my opinion, I think that it should just stand as is. I think you're grandfathered in. I would say originally, I didn't because I didn't really understand what I was saying, I gave it a lot of thought, now I do, I don't think Phil should have the final say. It's our call and I say that you should go with it. That's my opinion.

MR. SHAW: Can we poll the rest of the board?

MR. PETRO: Absolutely. Keep in mind what I said which is most important, we're not trying to nitpick a lot here and there, I'm looking at the next 5,000 lots that are coming in to eliminate the size of the lots.

MR. ARGENIO: Jim, my only real concern and as I said before to Mike, I agree with the statement it's in the spirit of the development and I think the lot or two lots in this area will be virtually invisible to the

owners of the rest of the property in the subdivision. One of the concerns I have is the precedence you're setting cause I don't want another engineer to come in here months from now and do all kinds of research and give me a history of the past ten years of what's happened with the subdivision to engage in 20 minutes of minutia, this is unique and compelling, I said Mr. Shaw's got a good point, I mean, if you're confident that that's not an issue.

MR. PETRO: We're not setting a precedence, we're the planning board, we're looking at it and I'm saying okay.

MR. ARGENIO: We're going to say yes or no, we're not setting a precedence? Another guy comes in and it's not right or we don't think it's right. That's what I don't want to trigger every engineer coming in here, give his whole life story.

MR. PETRO: Even if they do come in, you're a planning board member and you and you and you, you're going to decide that's what we're doing.

MR. ARGENIO: I'm with you on it, I think Mr. Shaw.

MR. PETRO: We're not going to pass it along, we'll make the decision, we're the planning board.

MR. ARGENIO: I'll go with you on this, I agree.

MR. BRESNAN: No, I think we should run it by Crotty.

MR. KARNAVEZOS: I do too, I'm sorry, but that's the way I feel. I mean, I understand he's accurate about the spirit and everything but I kind of got to lean towards what are Jerry said number one and number two, somebody else is gonna come to you and they're gonna say, it's gonna be very close to what this is and then you're gonna open up a can of worms.

MR. PETRO: We'll make a decision that night based on facts that we're hearing, that's why we're here, we'll make a decision and if it's the wrong one or somebody wants to take legal action, that's what happens in life.

MR. LANDER: I believe that this application here because it had preliminary never got final approval is

still an application that was before October 3 or October 4, whenever the code changed.

MR. BABCOCK: Maybe I can have one more thing and the Town Board has said that it would be up to the planning board to make the determinations now when we went to Phil's office and we talked to him about some of these things that were happening during the zoning change--

MR. ARGENIO: This one?

MR. BABCOCK: Any one in general, Phil said the planning board will make the determination whether it's a substantial application or not, is that not true Myra in other meetings, so if we sent this to Phil, he'd send it back to you.

MR. PETRO: I just said that.

MR. BABCOCK: I know you weren't in the meeting when we were there, the planning board has to make these decisions, he said that.

MR. KARNAVEZOS: Can I just add one thing? Can't we go, I know you don't want, I don't want to say you don't want to take it to the attorney, but can we get the attorney's interpretation of it and then proceed? I'd like to know how he feels about it and maybe I'm wrong, I mean, I'm the rookie here but--

MR. PETRO: I don't disagree with that except when I'm buying a coin, I don't ask my mother if I should buy it or not. And I don't see why I should have to ask Phil for a decision I have to make, it's your call, it's not his and Ronny's and Jerry's and Jim's, it's not Phil's call.

MR. KARNAVEZOS: But in this case, you know what, everybody has their own opinion, I mean, and everybody's gonna, my only concern was it wasn't done prior to the zone change, somebody just put an application in prior to this, this would be done, we'd be out of here, I'd be probably in my bed by now.

MR. SHAW: We had three preliminary approvals before the zone change and that should constitute being grandfathered, cause when people came in just with a sketch plan that grandfathered them, we have three preliminaries that should secure being grandfathered.

MR. PETRO: Just for the minutes, if someone came in a with a sketch plan, it had to be a legitimate application to be grandfathered in, I don't want to have something in the record that's not correct. All right, well, we're not getting anywhere.

MR. SHAW: I think we didn't, we have three votes for the project being grandfathered.

MR. PETRO: I don't want unhappy members, feel like we're doing something that's not a hundred percent.

MR. BRESNAN: I'm not unhappy it's my opinion, it's Tommy's opinion, let's just vote on it and you got the majority.

MR. PETRO: I understand what you're saying, just to go back one more time, I don't think it's anybody's call but ours, so to send it to somebody, we have an attorney here, what do you think?

MR. KRIEGER: I think I'm in the advice business, not the deciding business.

MR. PETRO: Give me your advice.

MR. KRIEGER: My advice is I think they have made a compelling enough case that if they were to under all the circumstances if they were to go to court, they would probably be successful, probably.

MR. PETRO: I decided that about 15 minutes ago. Okay, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	NO
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Good night.

MR. SHAW: Thank you.

RESULTS OF P.B. MEETING OF: May 8, 2002

PROJECT: Windsor Woods Section 6 P.B.# 02-10

LEAD AGENCY:

1. AUTHORIZE COORD LETTER: Y___ N___

2. TAKE LEAD AGENCY: Y N

M) S) VOTE: A N

CARRIED: YES NO

NEGATIVE DEC:

M)___ S)___ ~~VOTE~~: A N

CARRIED: YES NO

On Original Application

WAIVE PUBLIC HEARING: M)___S)___ VOTE: A___N___ WAIVED: Y___N___

SCHEDULE P.H. Y N

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) L S) A VOTE: A 3 N 0 APPROVED CONDITIONALLY: 5/8/02

NEED NEW PLANS: Y N ✓

DISCUSSION/APPROVAL CONDITIONS:

Need ~~for~~ D.C. Health Dept. Approval Done

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/30/2002

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 2-10

NAME: WINDSOR WOODS SUBDIVISION - SECT. 6: PA2002-0182
APPLICANT: WINDSOR WOODS, LLC

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/18/2002	REC. CK. #4114	PAID		600.00	
		TOTAL:	0.00	600.00	-600.00



4-30-02

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#395-2002

04/30/2002

02-10 Application *See*
Windsor Woods LLC
P O Box 389
Monsey, NY 10952

Received \$ 50.00 for Planning Board Fees on 04/30/2002. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

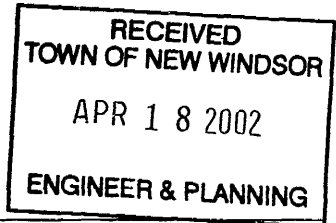
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MAY 01 2002

PROJECT REVIEW SHEET

N.W. HIGHWAY DEPT.

TO: ☐ FIRE INSPECTOR, ☐ WATER DEPT.,
☐ SEWER DEPT., ☒ HIGHWAY DEPT.



P.B. FILE # 02-10 DATE RECEIVED: _____

PLEASE RETURN COMPLETED FORM TO MYRA BY: 05-06-02

THE MAPS AND/OR PLANS FOR:

Windsor Woods - Section 6

Applicant or Project Name

SITE PLAN ☐, SUBDIVISION ☒, LOT LINE CHANGE ☐, SPECIAL PERMIT ☐

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: _____

☐ DISAPPROVED:

Notes: _____

Signature: Benny Kroll

Reviewed by: _____

5/3/02

Date

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 3 May 2002

SUBJECT: Windsor Woods Section 6

Planning Board Reference Number: PB-02-10

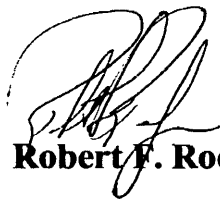
Dated: 18 April 2002

Fire Prevention Reference Number: FPS-02-026

A review of the above referenced subdivision plan was conducted on 3 May 2002.

This subdivision plan is acceptable.

Plans Dated: 17 April 2002

A handwritten signature in black ink, appearing to read 'R. F. Rodgers', is positioned above the printed name.

Robert F. Rodgers

RFR/dh



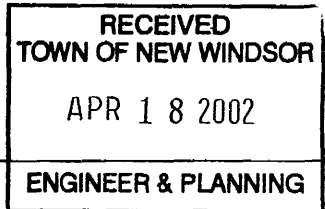
Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: ☐ FIRE INSPECTOR, ☒ WATER DEPT.,
☐ SEWER DEPT., ☐ HIGHWAY DEPT.



P.B. FILE # 02-10 DATE RECEIVED: _____

PLEASE RETURN COMPLETED FORM TO MYRA BY: 05-06-02

THE MAPS AND/OR PLANS FOR:

Windsor Woods - Section 6
Applicant or Project Name

SITE PLAN ☐, SUBDIVISION ☒, LOT LINE CHANGE ☐, SPECIAL PERMIT ☐

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: Water available

☒ DISAPPROVED:

Notes: _____

Signature: Steven D. Davis 5-3-02
Reviewed by: _____ Date

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision x Lot Line Change _____ Site Plan _____ Special Permit _____

Tax Map Designation: Sec. 32 Block 2 Lot Portion Of 107.2
New Designation 90 3 18

BUILDING DEPARTMENT REFERRAL NUMBER PA2002- 0182

1. Name of Project Windsor Woods Subdivision-Section 6

2. Owner of Record Windsor Woods LLC Phone 222-1812

Address: P.O. Box 389, Monsey, NY 10952
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant Same As Owner Phone _____

Address: _____
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan Gregory J. Shaw, P.E. Phone 561-3695

Address: 744 Broadway, Newburgh, NY 12550
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney _____ Phone _____

Address _____
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

Gregory J. Shaw, P.E. 561-3695
(Name) (Phone)

7. Project Location: On the south side of Old Hemlock Drive 400 feet
(Direction) (Street) (No.)
west of Red Maple Way
(Direction) (Street)

8. Project Data: Acreage 2.55 Zone R-3 School Dist. Newburgh

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PAGE 1 OF 2

APR 18 2002

ENGINEER & PLANNING

(PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)

02-10

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No X

***This information can be verified in the Assessor's Office.**

***If you answer yes to question 9, please complete the attached Agricultural Data Statement.**

10. Description of Project: (Use, Size, Number of Lots, etc.)
The subdivision of a 2.55 acre parent parcel into 4 lots
served by Town water and sewer systems

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no X

12. Has a Special Permit previously been granted for this property? yes _____ no X

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

COURTNEY K. MEADE
No. 01ME6068309
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 12/31/05

SWORN BEFORE ME THIS:

11TH DAY OF APRIL 2002

[Signature]
APPLICANT'S SIGNATURE

Courtney K Meade
NOTARY PUBLIC

Robert Silber
Please Print Applicant's Name as Signed

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TOWN OF NEW WINDSOR

DATE APPLICATION RECEIVED

ENGINEER & PLANNING

02-10

APPLICATION NUMBER

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

_____ it conducts business
Windsor Woods LLC _____, deposes and says that he resides
(OWNER)
at P.O. Box 389, Monsey _____ in the County of Rockland
(OWNER'S ADDRESS)
and State of New York _____ and that he is the owner of property tax map
(Sec. 32 Block 2 Lot 107.2) Portion Of
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in
the foregoing application and that he authorizes:

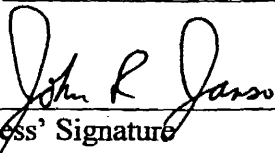
(Applicant Name & Address, if different from owner)

Gregory J. Shaw, P.E.

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 4-11-2002



Witness' Signature



Owner's Signature

Applicant's Signature if different than owner

Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO
REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**


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ENGINEER & PLANNING

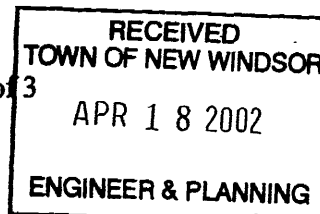
02-10

**TOWN OF NEW WINDSOR PLANNING BOARD
SUBDIVISION/LOT LINE CHANGE CHECKLIST**

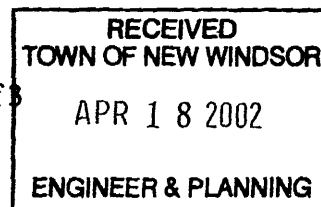
The following checklist items shall be incorporated on the Subdivision Plan prior to consideration for being placed on the Planning Board Agenda:

1. X Name and address of Applicant.
- * 2. X Name and address of Owner.
3. X Subdivision name and location
4. X Provide 4" wide X 2" high box (IN THE LOWEST RIGHT CORNER OF THE PLAN) for use by Planning Board in affixing Stamp of Approval.
(ON ALL PAGES OF SUBDIVISION PLAN)

SAMPLE: 
5. X Tax Map Data (Section, Block & Lot).
6. X Location Map at a scale of 1" = 2,000 ft.
7. X Zoning table showing what is required in the particular zone and what applicant is proposing.
8. NA Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
9. X Date of plat preparation and/or date of any plat revisions.
10. X Scale the plat is drawn to and North arrow.
11. X Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
12. X Surveyor's certificate.
13. X Surveyor's seal and signature.
14. X Name of adjoining owners.
15. NA Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
- * 16. NA Flood land boundaries.
17. NA A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
18. X Final metes and bounds.



19. X Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
20. X Include existing or proposed easements.
21. X Right-of-way widths.
22. NA Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
23. X Lot area (in square feet for each lot less than 2 acres).
24. X Number the lots including residual lot.
25. NA Show any existing waterways.
- *26. NA A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
27. X Applicable note pertaining to owners review and concurrence with plat together with owners signature.
28. X Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
29. NA Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
30. NA Show all and proposed on-site A septic system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
31. NA Provide A septic system design notes as required by the Town of New Windsor.
32. X Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
33. X Indicate percentage and direction of grade.
34. NA Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
35. NA Indicate location of street or area lighting (if required).



REFERRING TO QUESTION 9 ON THE APPLICATION FORM: IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. NA Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
37. NA A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

APrior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

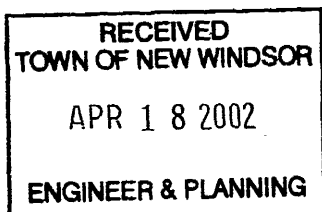
PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY:


Licensed Professional

4/17/2002
Date



PROJECT ID NUMBER

617.20
APPENDIX C

SEQR

STATE ENVIRONMENTAL QUALITY REVIEW

SHORT ENVIRONMENTAL ASSESSMENT FORM

for UNLISTED ACTIONS Only

PART 1 - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT / SPONSOR Windsor Woods LLC	2. PROJECT NAME Windsor Woods Subdivision - Section 6
3. PROJECT LOCATION: Town Of New Windsor Municipality	Orange County
4. PRECISE LOCATION: Street Address and Road Intersections, Prominent landmarks etc - or provide map South side of Old Hemlock Drive, 400 feet east of its intersection with Red Maple Way	
5. IS PROPOSED ACTION : <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification / alteration	
6. DESCRIBE PROJECT BRIEFLY: The Subdivision of a 2.55 acre parcel into 4 residential lots serviced by Town water and sanitary sewer systems	
7. AMOUNT OF LAND AFFECTED: Initially 2.55 acres Ultimately 2.55 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, describe briefly:	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? (Choose as many as apply.) <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park / Forest / Open Space <input type="checkbox"/> Other (describe)	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (Federal, State or Local) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit / approval: Orange Countuy Department Of Health	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit / approval:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT / APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant / Sponsor Name Windsor Woods LLC Date: April 9, 2002 Signature <i>Engeneer For Applicant</i>	

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If the action is a Coastal Area, and you are a state agency,
complete the Coastal Assessment Form before proceeding with this assessment

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PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☒ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☒ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
No

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
No

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
No

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
No

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:
No

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? (If yes, explain briefly:
☐ Yes ☒ No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? If yes explain:
☐ Yes ☒ No

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part ii was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Town Of New Windsor Planning Board
Name of Lead Agency

James R. Petro, Jr.
Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

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Date
Chairman
Title of Responsible Officer

Signature of Preparer (If different from responsible officer)

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